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09/804,958	03/13/2001	Jun Hyun Park	2529-000055	1182
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HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 828 BLOOMFIELD HILLS, MI 48303			APPLE, KIRSTEN SACHWITZ	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,958

Applicant(s)

PARK, JUN HYUN

Examiner

Kirsten S. Apple

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. P2000-16396, filed on March 30, 2000.

Specification

The abstract of the disclosure is objected to because "the abstract should be in narrative form and generally limited to a single paragraph" while the disclosed application's abstract contains two paragraphs. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities:

- 1) Page 12, line 4 refers to the "main server 3" The main server in the drawings and through out the specification is item 30.
- 2) There are multiple wording corrections throughout the specification that may have been a result of improper translation. Below are a few examples of the English grammar problems however; it is recommended the entire document be reviewed for additional grammar mistakes.
 - a) Page 3 line 13 "stocks trades" in proper English should be "stocks trade" for plural stock or "stock trades" for plural trades.
 - b) Page 5, line 10 "stocking selling"
 - c) Page 8, line 13 "accounts amounts"
 - d) Page 8, line 15 "corresponding users request" should include "to"
 - e) Page 9, line 22 "in case that a particular user has the timing he need money"
 - f) Page 10, line 6 and Page 12, line 8 "as many amounts"

3) Page 2, line 2 "so businessman"; unless the intension is that this invention is not to be used by women appropriate neutral gender should be used for US Patents.

Appropriate correction is required for items 1-3 listed above.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

In particular claim 8 (page 18, line 9-12) is indefinite "the stock selling amounts of the corresponding users are not calculated as substitution amounts, and nor are stocks bought with the stock selling amounts." It is unclear to the examiner and one of ordinary skill in the art what is claim by this description. For the purposes of this review the examiner will interpret claim 8 to be "the loans may have restrictions such as not allow user to purchase to use the loan to buy a different companies stock from the one they just sold."

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Belzberg (U.S. Patent 6,134,535) in view of Longfield (U.S. Patent 5,724,523.)

Re claim 1: Belzberg discloses:

an online stocks trading system... wherein stocks trades are executed through a communication network and computers, (see Belzberg Abstract "a stock exchange computer" and Belzberg Claim 1 "a computerized trading system") comprising:

a communication network for connecting communication lines among undefined individuals to perform data communications there between (see FIG 4);

plural client personal computers(PCs) (see FIG 1) having dedicated emulators or web browsers to allow the uses of a home trading system through the communication network, and for outputting to external selling items (see Claim 11 "symbol"), selling volumes (see Claim 11 "order size"), and selling prices (see Claim 11 "price") data that users select and input selling orders of plural menus provided from external after connected to external by executing the dedicated emulators or the web browsers, inputting and displaying on screens data... (see Claim 1) ; and

a main server (see FIG 4, item #54) for connecting to a stock exchange computer system (see FIG 4, item #50) and selling corresponding stocks according to selling order data inputted by the users of the plural client PCs, ...

Although Belzberg does not have an "automatic loan service function" Longfield claim "an electronic data processing system for preparing income tax returns, authorizing refund payments and obtaining a secured credit."

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add obtaining credit or loans as taught in Longfield to Belzberg trading system. Although Longfield refers to tax returns credits and Belzberg refers to stocks credit it is clear to one of ordinary skill in the art that both are guaranteed assets.

It is clear that any financial services organization would be motivated to provide assets-based lending, regardless if the assets is a tax return that has been guaranteed to be paid by the government at a future date or the assets is a stock that has been should and guaranteed to be paid by the stock market at a future date. Both asset-based lending situations result in additional "income source" for a financial institution of relatively low-risk quick-return and healthy interest payments.

Re claim 2: Belzberg discloses:

An online stocks trading system... wherein the main server includes (see Claim 1):

a selling information recognition unit for reading in information (see Claim 1 'receiving data from an exchange') on the users' accounts and selling information on selling prices (see Claim 11 "price"), selling amounts (see Claim 11 "order size"), and selling dates of the corresponding stocks...;

a calculation unit (see Claim 1 "formatting") for calculating settlement dates and based on the selling information on the selling prices, volumes, and selling dates read in through the selling information recognition unit; ...

Once again, although Belzberg does not have an "automatic loan service function" Longfield does claim "an electronic data processing system for preparing income tax returns, authorizing refund payments and obtaining a secured credit."

In particular, Longfield discloses "at least one data processing means for processing (*transferring and repaying*) secured credit." (see, Claim 1d)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add obtaining credit or loans as taught in Longfield to Belzberg trading system. Although Longfield refers to tax returns credits and Belzberg refers to stocks credit it is clear to one of ordinary skill in the art that both are guaranteed assets.

It is clear that any financial services organization would be motivated to provide assets-based lending, regardless if the assets is a tax return that has been guaranteed to be paid by the government at a future date or the assets is a stock that has been should and guaranteed to be paid by the stock market at a future date. Both asset-based lending situations result in additional "income source" for a financial institution of relatively low-risk quick-return and healthy interest payments.

Re claim 3: Belzberg discloses:

An online stocks trading system with a main server (see FIG 4, item #54 "server")

Although Belzberg does not have an "automatic loan service function" Longfield does claim "an electronic data processing system for preparing income tax returns, authorizing refund payments and obtaining a secured credit."

Longfield discloses:

A main server, at the time when the users of the client PCs confirm result data they acquire the future guaranteed assets of a tax return, provides menu data of allowing to select loans of all or part of the asset, and transfers to the users' accounts amounts deducted by interest amounts of a certain rate from loan amounts requested by corresponding users (see Claim 1d).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add obtaining credit or loans as taught in Longfield to Belzberg trading system. Although Longfield refers to tax returns credits and Belzberg refers to stocks credit it is clear to one of ordinary skill in the art that both are guaranteed assets.

It is clear that any financial services organization would be motivated to provide assets-based lending, regardless if the assets is a tax return that has been guaranteed to be paid by the government at a future date or the assets is a stock that has been should and guaranteed to be paid by the stock market at a future date. Both asset-based lending situations result in additional "income source" for a financial institution of relatively low-risk quick-return and healthy interest payments.

Re claim 4: Belzberg discloses:

An online stocks trading method... wherein stock trades are executed through a communication network and computers, (See Claim 1) comprising steps of:

reading in information on users' accounts (see Claim 1 "receiving data from an exchange") and selling information on selling prices (see Claim 11 "price"), selling volumes (see Claim 11 "order size"), and selling dates of corresponding stocks... ;

calculating (see Claim 1 "formatting") settlement dates and settlement amounts base on the selling information on the selling prices, selling volumes, and selling dates read

Once again, although Belzberg does not have an "automatic loan service function" Longfield does claim "an electronic data processing system for preparing income tax returns, authorizing refund payments and obtaining a secured credit."

In particular, Longfield discloses, "creating a deposit and loan account." (see Claim 1d)

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add obtaining credit or loans as taught in Longfield to Belzberg trading system. Although Longfield refers to tax returns credits and Belzberg refers to stocks credit it is clear to one of ordinary skill in the art that both are guaranteed assets.

It is clear that any financial services organization would be motivated to provide assets-based lending, regardless if the assets is a tax return that has been guaranteed to be paid by the government at a future date or the assets is a stock that has been should and guaranteed to be paid by the stock market at a future date. Both asset-

based lending situations result in additional "income source" for a financial institution of relatively low-risk quick-return and healthy interest payments.

Re claim 5: Belzberg discloses:

*The online stocks trading method (see Claim 1)... including steps of:
judging (see Claim 1, line 39 "formatting") if stocks selling data of particular items
the users of the client PCs input is inputted to a main server;*

*selling (see Claim 1, line 46 "transmitting") corresponding stocks through a stock
exchange computer system according to stocks selling data inputted by the users;*

...

*reading (see Claim 1 "receiving data") in the information on the accounts of the
corresponding users and the selling information on selling prices (see Claim 11 "price"),
selling amounts (see Claim 11 "order size"), and selling dates.*

Once again, although Belzberg does not have an "automatic loan service function" Longfield does claim "an electronic data processing system for preparing income tax returns, authorizing refund payments and obtaining a secured credit."

In particular, Longfield discloses:

*outputting... (see Claim 11d "transmitting") data related to the secured loan
services regarding asset money together with selling result data executed in the main
server;*

*judging (see Claim 1e "data processing means") if the users of the corresponding
client PCs select the secured loan services regarding assets money;*

storing (see Claim 1a) loan dates and loan amounts inputted by the users if the secured loan services regarding asset money are selected by the users; and

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add obtaining credit or loans as taught in Longfield to Belzberg trading system. Although Longfield refers to tax returns credits and Belzberg refers to stocks credit it is clear to one of ordinary skill in the art that both are guaranteed assets.

It is clear that any financial services organization would be motivated to provide assets-based lending, regardless if the assets is a tax return that has been guaranteed to be paid by the government at a future date or the assets is a stock that has been should and guaranteed to be paid by the stock market at a future date. Both asset-based lending situations result in additional "income source" for a financial institution of relatively low-risk quick-return and healthy interest payments.

Re claim 6: Belzberg discloses:

The online stocks trading method (see Claim 1)

Once again, although Belzberg does not have an "automatic loan service function" Longfield does claim "an electronic data processing system for preparing income tax returns, authorizing refund payments and obtaining a secured credit."

In particular, Longfield discloses:

judging (see Claim 1e "data processing means") if the settlement dates according the assets of particular users of the client PCs who use the secured loans regarding the asset money fall due;

judging (see Claim 1e "data processing means") if settlement amounts are deposited to accounts of the corresponding users when the settlement dates fall due; and

withdrawing (see Claim 1f "authorizing transferring of funds) the amounts loaned to the corresponding users and ending the loan services if the settlement amounts are deposited to the users' accounts.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to add obtaining credit or loans as taught in Longfield to Belzberg trading system. Although Longfield refers to tax returns credits and Belzberg refers to stocks credit it is clear to one of ordinary skill in the art that both are guaranteed assets.

It is clear that any financial services organization would be motivated to provide assets-based lending, regardless if the assets is a tax return that has been guaranteed to be paid by the government at a future date or the assets is a stock that has been should and guaranteed to be paid by the stock market at a future date. Both asset-based lending situations result in additional "income source" for a financial institution of relatively low-risk quick-return and healthy interest payments.

Re claim 7:

Claim 7 of Park claims "the loaned amounts transferred to the users' accounts are provided after deduction of interest amounts at a certain rate." Longfield also claims to charge interest or fees to the loan or credit as described in claim 6-9 "including a means for charging the process fees of said credit card application" and "for charging the intended annual fees or process fees."

Re claim 8 and 9:

Claim 8 as described above under the heading of "Claim Rejections - 35 USC § 112" is indefinite and has an unclear description. For the purposes of this review the examiner will interpret claim 8 to be "the loans may have restrictions such as not allow user to purchase to use the loan to buy a different companies stock from the one they just sold."

Claim 9 claims "repayment dates for the secured loans can be delayed if extra interests are paid by the users."

Regarding Claim 8 and 9 it is clear to one of ordinary skill in the art that any financial institution will have "underwriter guidelines" and restrictions for the credit decision based on the risk profile of the user. Any financial institution will define and modify these restrictions according to the risk profile of the user (loan applicant), business strategy of the financial institution as well as any federal regulations or limitations. Both claim 8 loans have "restriction" and Claim 9 loans allowing "delays"/extensions are viewed as "underwriters guidelines." One of ordinary skill in the art would view "underwriter guidelines" as obvious business practices regardless of the "restriction" or "delay"/extension for any financial institution providing loans.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on 571.272.6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa



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